



REPORT

OF

THE ATTORNEY GENERAL

TO THE

Legislature of Massachusetts.

JANUARY 2, 1833.

Boston :

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1833

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ATTORNEY GENERAL'S OFFICE,)
Boston, 2d January, 1833.)

SIR :

I have the honor to transmit a report, prepared in obedience to the " Act enlarging the jurisdiction of the Court of Common Pleas in criminal cases, and regulating the appointment and duties of prosecuting officers."

I have the honor to be,

With great respect,

Your Ob't. Serv't.,

JAMES T. AUSTIN,

Attorney General.

To The Honorable the President of the Senate.

Commonwealth of Massachusetts.

*To the Honorable the Legislature of the Commonwealth of
Massachusetts.*

The Attorney General, in obedience to the "Act for enlarging the jurisdiction of the Court of Common Pleas in criminal cases, and regulating the appointment and duties of prosecuting officers," has the honor respectfully to submit to the Legislature the Report, which he is required to make at the commencement of each session thereof.

"A statement of the business done by him since his appointment, specifying the suits and prosecutions to which he has attended, the names of the persons prosecuted for crimes, the crimes for which, and the counties where such prosecutions were had, the results thereof, and the punishments awarded therefor," is contained in the annexed papers marked A.

The Abstracts of the Reports made to him by the County and District Attornies, which he is commanded to make, and present to the Legislature, are contained in the annexed papers, severally marked B, C, D, E, and F.

These Reports and Abstracts are completed to the 1st November last, the provisions of the Statute and the requisite uniformity of them appearing to make that the proper period of annual return. It will not fail to strike the Legislature as a remarkable fact in the history of crime within this Commonwealth, that within the short period of five months, embraced in this Report, there have been *eight* men and *one* woman charged in various ways with capital offences.

In addition to the Report and Abstracts above referred to, the Attorney General is enjoined by law to present to the Legislature "such observations and statements, as, in his opinion, the criminal jurisprudence and the proper and economical administration of the criminal law of the Commonwealth shall warrant and require," a duty which he hopes on a future occasion more at large to perform. At the present time, he begs leave respectfully to submit, that the system now in force has so recently been put in operation, that it is not ascertained, by experiment, what is its competency to fulfil the public expectation. So far as observation has yet been made, it is found practicable in its arrangements, and convenient to Courts, Jurors and Witnesses. Some accommodation is required by the prosecuting officers, for their mutual convenience, which has thus far been readily made by them, and will, without doubt, be continued to be made, as the occasions require.

The ability of the system to relieve the Supreme Judicial Court, to the extent required, remains to be tested by experience. The advantage of being able to attend to questions of law reserved for the consideration of the Court, without the interruption of a Grand Jury, or of Jury trials, must have been sensibly felt at the last Cir-

cuit, on which the inconvenience, formerly arising from criminal matters in this form, did not occur. Under the present system, the embarrassments of the former one cannot, at the law terms of the Supreme Court, arise. How it may be, as to those terms which are holden for trials by Jury, will hereafter better appear. In the Courts, which have been holden within the period of the present Report, the business under the existing law was not sufficiently matured to be entered, and of course, the criminal business before the Judges of the Supreme Court, has been only what remained undisposed of under the former arrangement.

The attention of the Attorney General, on entering on the duties of his office, was directed to measures for the economical administration of the public business, by preventing unnecessary delay, and by limiting the amount of expense; and he has the honor hereto to annex a copy of a circular letter, addressed by him to the several prosecuting officers, with the design of securing their aid in this purpose. He has reason to believe that their attention and care have been duly given to the subject, and that a great diminution of public expense has already been secured, and will hereafter be made, by the present system.

On the subject of costs, great difficulty is yet experienced. In addition to the suggestions in the circular, the attention of the Justices of the Court of Common Pleas was called to the subject, and new rules have been adopted by them of a useful character. But there are obstacles to an economical and yet liberal disbursement of the public money for criminal prosecutions, which the Legislature is alone competent to remove. The fee-table is a mystery, to which custom, convenience or ne-

cessity have severally applied different solutions. To many services it has no application :—to others, its application is very uncertain ;—and the antiquity of its provisions seems to give color of excuse to all, who depart from its authority. The Attorney General, with the assistance of the other prosecuting officers, will not fail to endeavor to have its precepts regarded, but he cannot hesitate to express a hope, that it will receive the revision of the Legislature.

The Attorney General deems it his duty further respectfully to state, that by some clerical error, or other inadvertence in the Statute of 1832, ch. 73, in regard to convicts in the State Prison, the learned Judge, before whom cases arising under it are exclusively tried, has found himself unable to sustain any information against convicts once before sentenced and discharged. The importance of this Statute, to the well governing of that Institution, renders it exceedingly important that there should be no misunderstanding of the will of the Legislature.

In regard to that part of the Statute under which this Report is submitted, which requires the Attorney General to be “ in attendance upon the call of the Legislature during their sessions,” he begs leave respectfully to report himself, for such duties as the Legislature may be pleased to assign to him.

JAMES T. AUSTIN,

Attorney General.

Boston, 2d January, 1833.

[CIRCULAR.]

BOSTON, JULY 10th, 1832.

DEAR SIR,

Among the objects which the Legislature had in view in the new organization of the department of Criminal Law, a principal one was to render its administration more economical, without impairing its vigor of action or practical efficiency. To promote this object, I beg leave to submit to your consideration the following observations:

An early arrangement of business with the Grand Jury, and their consequent speedy discharge is so very desirable, that I can be excused for mentioning it, only because the power of accomplishing it does not solely depend on the representative of the Commonwealth. A delay on the part of the Magistrates in returning their recognizances, or a neglect of witnesses to be in attendance may frustrate all his exertions; but as the success of the system cannot be put in competition with individual convenience, or be exposed to hazard by habits of remissness that have grown into custom, I beg leave to refer you to the case of Jno. Neal, Esq. 14 Mass. Reports, page 205, as an authority, which should be enforced without hesitation whenever it is necessary. More however can be gained by good will than by power, and if by an earlier return of the Justice's papers, than is required by law, the preliminary arrangements for the Grand Jury can be made before the opening of the Court, their labors can commence immediately after, and much time, not less valuable to the Attorney than the Commonwealth, be thereby usefully saved. Such

being the result of my own experience in this respect, I am induced to mention it for your consideration.

In every case the bill of costs should include all charges, ordinary or extraordinary, which the case requires. Nothing should be taxed under the head of extra's, which is not especially detailed. No allowance should be made to any person, until the case is disposed of by a final judgment of the Court, where it can possibly be avoided ; and where urgent circumstances require an earlier payment, the amount should afterwards be transferred to the regular bill of costs, as a charge paid in the case. The General Bill will then contain, as it should, only those items, which belong to the common business of the term, and are chargeable to no particular case.

Under the head of extra charges, the sound discretion of the representative of the Commonwealth is liable to be abused by claims said to be made in conformity with long usage and established precedent.

We are not bound by such authority, but on the contrary are required to make a reformation of illegal customs and improvident practises, if any such exist.

I take leave however to say, that the allowance of every bill of cost, and of each and every charge it contains, is part of the judgment of Court, and can be paid only by virtue of such judgment : for which judgment, and by consequence for which payment, the Court and not the Attorney is ultimately responsible. All that can be required of the District Attorney is to prepare and present bills of cost, according to his opinion of what is legal and correct. In common cases the Court, relying on his discretion and attention to the several interests of the Commonwealth and the claimants, would probably

adopt his taxation, or perhaps by some general rule authorize the Clerk to certify the bills which he approves, to be correct. But where there is a difference of opinion between the Attorney and the claimant, either as to the character of an alleged service, or the amount to be paid for it, the question should be settled by the Court, whose judgment will, as it ought, relieve the prosecuting officer from a responsibility which he is not required by law to assume, and which will be found in practice more troublesome than any part of his official duty.

Some understanding may perhaps be necessary with the Judges of the Common Pleas on this head, and it is important to have the matter early and uniformly settled.

Where the fee-table provides a definite compensation for specific service, however inadequate it may be deemed for the service rendered, there is no legal power to increase it. A disregard of its provisions cannot for the future be tolerated: and if in consequence of a strict adherence to them there should be any just complaint, such complaint may probably contribute, as it should, to a legislative alteration.

Among cases claiming our official attention, are those where a party is holden for an intended unexecuted breach of the peace. Although this process has often been very grievously abused, its legitimate operation is among the most valuable powers of the public: and the judicious exercise of the authority, which the law devolves on the Magistrates of the county, may prevent at small cost not merely the punishment of aggravated crimes, but the perpetration of them.

In preparing the returns which are required by the 9th section of the Act, no form beyond the particular details therein enumerated is deemed necessary to be

prescribed, because these returns are to be condensed, and an abstract of them presented to the Legislature. It is proper, however, that they should contain a statement of every case examined by the Grand Jury, whether originating before a Justice of the Peace or otherwise, and whether sustained or not by an Indictment.

It will be necessary that the judicial year comprised in these returns should terminate on 31st October, annually, and I shall hope to receive them by the first day of December, in order to prepare abstracts in season for the meeting of the Legislature on the first Wednesday of January following.

I avail myself of this occasion to request, that whenever any professional or other consideration renders the management of a particular cause for the Commonwealth personally objectionable to you, and especially where any excitement exists in the community, or the enforcement of public justice requires, in your opinion, the aid of additional council, you would seasonably and freely make it known to me, that I may be prepared to render any assistance which may be practicable.

It is not my inclination to limit my official labors by the strict letter of the law, which prescribes them, but entering into the spirit of the Legislature, which intended to give force and efficiency to the system, I shall be ready to discharge, at any time and at any place, those implied duties, which the public exigency requires, or the reasonable convenience of my colleagues may give them a right to expect. Of the provision of the law by which you are authorised to require my opinion in all matters appertaining to the duties of your office, I beg you will not hesitate most freely to take advantage,

assuring yourself that it will at all times be as much my pleasure as my duty to cooperate with you in executing the trusts reposed in us : and although the law has not given me the corresponding right to call in return for your counsel and advice, I pray you to supply this obvious defect, by favoring me from time to time with such observations and statements in relation to the whole matter given us in charge, as your good judgement and increasing experience may enable you to form, and the proper and economical administration of the criminal law of the Commonwealth shall warrant and require.

With much respect and esteem,

Your most obedient servant,

JAMES T. AUSTIN.

To the District Attorney.

(A.)

REPORT

*Of the Official Duties performed from 1 June, 1832, to
31 October, of the same year, inclusively, by*

JAMES T. AUSTIN,

ATTORNEY GENERAL OF THE COMMONWEALTH.

SUFFOLK.

Commonwealth, by indictment, *vs.* Stephen Jones.
Forgery. Convicted, and sent to the House for the
Reformation of Juvenile Offenders. Supposed age of
convict, 15 years.

Commonwealth, by indictment, *vs.* Charles Leonard.
Passing counterfeit bills. Convicted. Sentenced to
the State Prison for one day solitary confinement, and
two years hard labor.

Commonwealth, by indictment, *vs.* William F. Gragg.
Aggravated Larceny. Trial by jury, who could not
agree on a verdict. Second trial and conviction.
Sentence, fine of \$100.

Commonwealth, by indictment, *vs.* Elisha Brister. Ag-
gravated Larceny. Verdict, not guilty.

Commonwealth, by indictment, *vs.* Pelatiah W. Gordon.
Larceny privily from the person. Defendant ab-
sconded, and his surety defaulted.

Commonwealth, by indictment, *vs.* Richard West. Aggravated Assault. Continued on defendant's motion.

Commonwealth, by indictment, *vs.* Nathan Lang. Selling a Lottery Ticket. Continued on defendant's motion. Next term, trial by jury. Verdict, guilty. Sentence, a fine of \$100 and costs. Appeal claimed and allowed.

Commonwealth, by indictment, *vs.* Nelson Carter. Same offence. Convicted and fined \$100 and costs. Fine paid to the Sheriff.

Commonwealth, by information, *vs.* Joseph Hall—as a convict for the third time in the State Prison. Verdict against him. Sentenced to an additional confinement of ten years and one day.

Commonwealth, by indictment, *vs.* John B. Gray. Assault and Battery. Jury could not agree. Continued.

Commonwealth, by indictment, *vs.* John W. Quinn. Forgery. The witnesses having gone to sea, the prisoner was discharged on his own recognizance.

Commonwealth, *vs.* Noah E. Chase, John B. Thorn, and Walter Russell. Riot and Assault. Verdict, guilty on second count. Sentenced to pay a fine of \$50 each, and if not paid in ten days, to suffer three months imprisonment in the House of Correction.

Commonwealth, by information, *vs.* Henry Wood. Three times a convict in State Prison. Verdict against him. Sentence, imprisonment in the State Prison for his life.

Commonwealth, by indictment, *vs.* Thomas A. Murry.
Forgery. Defendant not arrested. Continued.

Commonwealth, by complaint, *vs.* Robert Hanson. For-
gery. No bill returned by Grand Jury.

Commonwealth, by complaint, *vs.* Richard West.
Fraud. No bill returned by the Grand Jury.

Commonwealth *vs.* Solomon Hayes, appellant. Assault
and Battery. Original judgment affirmed.

Commonwealth *vs.* Andrew Leach. Threats. Dis-
charged, paying costs.

Commonwealth *vs.* Simon Bothwell. Threats. Dis-
charged.

Commonwealth *vs.* George Parkman. Threats and
Assault. No bill.

Commonwealth, *sci. fac.* *vs.* Franklin Dexter, bail of
P. W. Gordon. Defendant confessed forfeiture and
prayed to be heard in Chancery. Still pending.

SUFFOLK.

Supreme Judicial Court.

Commonwealth *vs.* Williams Roby. Murder. Trial.
Verdict, guilty. Motion for a new trial argued, over-
ruled. Sentence, death.

Commonwealth *vs.* James Jordan. Murder. Prisoner
arraigned, and the indictment continued at his
motion.

Commonwealth *vs.* Susan Page. Present aiding and abetting in murder with Jordan. Prisoner arraigned, and the indictment continued at her motion.

HAMPDEN.

Commonwealth *vs.* Lorin Carter. Rape. Prisoner acquitted.

FRANKLIN.

Commonwealth *vs.* Elijah Williams. Perjury. This case was tried before the Chief Justice at Greenfield. Verdict, not guilty.

Commonwealth, *sci. fac. vs.* David Canada. Special plea in bar filed by defendant. Demurrer on part of Commonwealth. Ordered on the law docket.

HAMPSHIRE.

Commonwealth, *vs.* Peter Ingraham. Continued by order of court.

Commonwealth, *sci. fac. vs.* David Canada. Argued to the whole Court on the Demurrer, and continued for advisement.

WORCESTER.

Commonwealth *vs.* Lewis Bigelow, on complaint before a magistrate, for Rape.

The examination of complainant and witnesses for Commonwealth being finished, the Attorney General signified his consent that, with the magistrate's permission, the defendant should be discharged; and he was thereupon discharged.

MIDDLESEX.

Commonwealth vs. David L. Child. Indictment for Libel. Returned in April, 1828, and tried on an issue to jury, at the October term of that year.

Motion for a new trial had been made by defendant and argued by the former law officers of the Commonwealth. Motion in arrest of judgment came on at the October term of this Supreme Judicial Court, and was argued by counsel for defendant and by the Attorney General on the part of the Commonwealth. Motion sustained and defendant discharged.

The other business of the Commonwealth in this Court was postponed until after the period embraced by this report,

NORFOLK.

Commonwealth appellant from a decree of the Judge of Probate, in case of John B. Lewis's estate.

Motion on part of *Commonwealth* for an amendment of the order of Court sustained, and case continued to the next term.

Commonwealth vs. Charles Ellis. Forgery. Continued on his motion.

Commonwealth vs. Jesse Bates.

The prisoner had been charged with an aggravated larceny, and acquitted by reason of insanity, at a former term; whereupon he was remanded to the jail as a dangerous person. He now petitioned to be discharged, representing himself to have recovered his reason; and after the examination of several witnesses, the Court

being of opinion his representation was true, he was discharged.

Commonwealth vs. Edward Pray. Selling liquor without license.

The indictment in this case had been found at a former term, and a demurrer filed for defect of form. It was now argued and continued for advisement.

Commonwealth vs. Samuel Ham. Nuisance. Continued by reason of the absence of a material witness.

The Attorney General has been called upon by the Treasurer of the Commonwealth, to give an opinion in regard to the claim of an auctioneer, not to pay the auction tax on goods sold by him for the account of the United States.

For an opinion to the Inspector General of Fish, in regard to the claims of sundry fishermen, under the Inspection laws.

And by the same Inspector, in regard to a memorial made to him on the subject of the same laws, and the mode of their being executed, sent to said Inspector General from sundry persons at Newburyport.

And considering these requisitions for legal advice as possibly within the spirit of the law establishing his duties, he has given opinions accordingly.

The Attorney General has attended all the terms of the Supreme Judicial Court holden within the Commonwealth during the term comprized in the foregoing Report, except only the term holden at Nantucket, where it had been previously ascertained by him that the Commonwealth had no case on the docket,

(B.)

ABSTRACT OF THE REPORT

OF

SAMUEL D. PARKER, ESQ.,

*Attorney for the Commonwealth within the County of
Suffolk,*

Of his Official business to the 31, Oct. 1832, inclusive, as made by him to the

ATTORNEY GENERAL.

The Attorney for the Commonwealth, within the County of Suffolk, attended the several terms of the Municipal Court in July, August, September and October.

He assisted in the trial of Commonwealth *vs.* Williams Roby, for murder, at the Supreme Judicial Court in July, and in the preparation of the evidence, and at the arraignment of James Jordan and Susan Page, the former for murder as principal, the latter as present aiding and abetting therein.

He attended at the Police Court and had care of the case *vs.* Daniel Davis, on a charge of murder.

He attended during several days in preparing and conducting before said Court, the examination of William Ulmar, James Freeland, Samuel Campbell, and Emanuel Currant, on a charge of murder.

The other business under the care of said Attorney appears by the following Table.

TABLE

OF

Business conducted by Attorney for the Commonwealth

IN

SUFFOLK.

Causes of Complaint.	Bills,	Continuances,	Convictions,	Acquittals,	No. Bills,	Total.	Remarks.
Counterfeiting and passing Counterfeit Bills,	1				1	2	
Forgery,	2	2				2	
Felonious Assault with intent to Murder,	1		1		1	2	
Aggravated Larceny,	20		18	2		20	
Simple Larceny,	4				2	6	
Arson, second degree,	1		1			1	
Receiving Stolen Goods,	2		1	1		2	
On the State Prison Convicts Law,	1		1			1	
Assault and Battery,	12		10	2		14	
Nuisance,	1		1		2	4	
Libel,	1	1				1	
On Victuallers Licence Law,							
Appeals,	2	2			1	3	
On Lottery Law,	1		1			1	
For Breaches of the Peace and Threatenings,							
Processes,	31		31			31	
Adultery,					1	1	
	80	5	65	5	8	91	

Of the persons convicted there were sentenced to confinement to hard labor in the

STATE PRISON.

1	for	10 years
1	"	6 "
2	"	5 "
2	"	4 "
2	"	3 "
6	"	2 "
1	"	1 year and six months,
1	"	1 "
1	"	6 months.
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17		

(C.)

ABSTRACT OF THE REPORT

OF

PLINY MERRICK, ESQ.

*Attorney for the Commonwealth for the Middle District,
comprising the Counties of*

NORFOLK AND WORCESTER,

Of his Official Business to 31 October, 1832, inclusive, as made by him to the

ATTORNEY GENERAL.

The Attorney of the Commonwealth for the Middle District, has attended at the several terms of the Common Pleas for the Counties of Worcester and Norfolk, holden during the time he has been in office to the 31 October, 1832, and at the term of the Supreme Judicial Court in Worcester, in October of that year.

The business of the Commonwealth under the care of said Attorney, appears in the following Table.

TABLE

OF

Business conducted by the District Attorney of the Commonwealth.

FOR THE

MIDDLE DISTRICT.

Causes of Complaint.	Bills.	Com- munes.	Convic- tions.	Acquit- tals.	No. Bills.	Total.	Remarks.
Burglary,	1		1			1	
Adultery,	1		1			1	
Larceny simple and aggra- vated,	5		5		2	7	
Conspiracy,	1			1			Nol. Pros.
Nuisance,	5		5			5	
Assault and Battery,	10	1	7	2	2	12	
Official Misdemeanor,	1			1		1	
Disturbing public Worship,	1		1			1	
Trespass,	1	1				1	
On the Victuallers' License Law,	10	8		2	2	12	{ 2 Nol. Pros. on paying costs.
On the Lottery Law,	1		1			1	
On the Auction Law,	1		1			1	
Neglecting Highways,	15	15			2	17	
Selling unwholesome Pro- vision,	2	2				2	
	55	27	22	6	8	63	

Whole number of cases for examination, as above, 63

No. Bills, 8

—

Cases for further proceedings, 55

“ of acquittal, 3

“ of conviction, 22

“ of discharge by Nol. Pros. 3

“ continued, 27

—

55

Of the persons convicted, there were sentenced to
confinement to hard labor in the State Prison,

1 for life,

1 for 2 years,

—

2

(D.)

ABSTRACT OF THE REPORT

OF

CHARLES A. DEWEY, ESQ.,*Attorney for the Commonwealth for the Western District,
comprising the Counties of***HAMPSHIRE, HAMPDEN, FRANKLIN, AND
BERKSHIRE,**

Of his Official business to the 31st Oct. 1832, inclusive, as made by him to the

ATTORNEY GENERAL.

The Attorney of the Commonwealth for the Western District, has attended all the terms of the Court of Common Pleas holden therein, and the regular terms of the Supreme Judicial Court in Hampden, Berkshire, and Hampshire. He also attended with the Attorney General, at a special adjournment of the Supreme Judicial Court, holden in Springfield, in June, for the trial of Lorin Carter, on a capital felony.

The District Attorney reports, that by direction of the Court of Common Pleas, he has attended to the examination of costs in all cases finally disposed of before Justices of the Peace, which "requires much time and labor at each term of the Court."

The business of the Commonwealth under the care of said District Attorney, appears in the following Table.

TABLE

OF

Business conducted by the District Attorney of the Commonwealth,

FOR THE

WESTERN DISTRICT.

Causes of Complaint.	Bills.	Continuances.	Convictions.	Acquittals.	No. Bills.	Total.	Remarks.
Rape,	1			1		1	} With the Att. Gen'l.
Burglary,	1		1			1	
Forgery,	1		1			1	
Felonious Assault,	1		1			1	Of asst. only.
Assault and Battery,	9	2	3	2	3	12	2 defaulted.
Riot,	2	2				2	
Malicious Maiming,	1		1			1	
Larceny,	12	1	10		5	17	
Disturbing Public Worship,	1		1				By default.
On the Law concerning Theatrical Exhibitions,	4		4			4	
On the Victuallers Licence Law,	7	3	3	1		8	
On the Lottery Law,	1		1			1	
Nuisance,	2		2		2	4	
Not Repairing Roads,	8	7	1		6	14	
Pedling,	3		2	1	1	4	
Trespass,	1		1			1	
	55	17	30	5	18	73	

Whole number of cases for examination as above	73
No. Bills,	18
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Cases for further proceedings,	55
“ of Acquittal,	5
“ of Conviction,	30
“ Defaulted,	2
“ Nol-pros,	1
“ Continued,	17
	<hr/>
	55

*Of the foregoing persons convicted there were sentenced
to confinement to hard labor in the*

STATE PRISON,

1	for	10 years
1	“	5 “
1	“	4 “
1	“	2 “
1	“	1 “
1	“	6 months.
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(E.)

ABSTRACT OF THE REPORT

OF

CHARLES H. WARREN, ESQ.,

*Attorney for the Commonwealth for the Southern District,
comprising the Counties of*

BRISTOL, PLYMOUTH, BARNSTABLE, DUKES
COUNTY, AND NANTUCKET,

Of his Official business to the 31st Oct. 1832, inclusive, as made by him to the

ATTORNEY GENERAL.

The Attorney of the Commonwealth for the Southern District, has attended the several terms of the Common Pleas holden within his District—and he reports that in attending these Courts he has travelled three hundred and seventy-six miles.

At the term in Dukes County, in September, and at Nantucket, in October, no complaint was made to the Grand Jury.

The business of the Commonwealth under the care of said Attorney, appears in the following Table.

T A B L E

OF

Business conducted by the District Attorney of the Commonwealth,

FOR THE

SOUTHERN DISTRICT.

Causes of Complaint.	Bills.	Continuances.	Convictions.	Acquittals.	No. Bills.	Total.	Remarks.
Larceny,	14		14		4	18	
Receiving Stolen Goods,	2		1	1		2	
Felonious assault to Rape,	2		2			2	
Lascivious Cohabitation,					2	2	
Open Lewdness,	1			1		1	
Fornication,					1	1	
Adultery,	2		2			2	
Assault and Battery,	6		2		7	13	
Common Drunkard, Appeals,	3		2	1		3	
Malicious Mischief,	1		1		1	2	/ Motion for new Trial.
Conspiracy,	1	1				1	
Riot,	1	1				1	
Nuisance,	6	4	1		5	11	
On the Victuallers Licence Law,	6	4	2		7	13	
On the Lottery Law,	1		1			1	
Pound Breach,					1	1	
Quarantine Breach,	1	1				1	
Sabbath Breach, Appeal,	1		1			1	
Burning Coal Pit,	1	1				1	
Theatrical Exhibition,					1	1	
Trespass, Appeal,	1			1		1	
Threats, Complaints,	8					8	
	58	12	20	4	20	87	

Cases of criminal nature as by the preceding	
Table,	87
Writs of scire facias,	12
	<hr/>
	99

*Of the persons convicted there have been sentenced to
confinement to hard labor in the*

STATE PRISON,

1	for	3 years
2	“	2 “
1	“	1 “
1	“	6 months.
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(F.)

ABSTRACT OF THE REPORT

OF

ASAHEL HUNTINGTON, ESQ.,*Attorney for the Commonwealth for the Northern District,
comprising the Counties of***ESSEX AND MIDDLESEX,**

Of his Official Business to the 31 Oct. 1832, inclusive, as made by him to the

ATTORNEY GENERAL.

The Attorney for the Commonwealth within the Northern District has attended the several Courts in Essex and Middlesex, holden during the Term comprised in his Report.

The business under the care of said Attorney will appear in the two following Tables.

TABLE

OF

Business conducted by the District Attorney of the Commonwealth,

FOR THE

1888
SOUTHERN DISTRICT,

IN THE COUNTY OF ESSEX.

Causes of Complaint.	Bills.	Continuances.	Convictions.	Acquittals.	No. Bills.	Total.	Remarks.
Larceny,	7		4	3	2	9	} \$100 paid by sureties.
Assault and Battery.	7	2	4	1	3	10	
Riot,	1			1		1	
Cheating,					3	3	
Trespass,	1			1		1	
Nuisance,	7	6	1			7	
Official Misdemeanor.					1	1	
Licence Law,	15	5	10		1	16	
Adultery,	1			1		1	
Lascivious Cohabitation.	1		1			1	
Fornication,	1		1			1	
Pedling,	1	1			1	1	
Refusing aid to Officer,	1	1				1	
	43	15	21	7	11	53	
Writs of scire facias,						7	
						60	

TABLE

OF

Business conducted by District Attorney for the Commonwealth,

FOR THE

SOUTHERN DISTRICT,

IN THE COUNTY OF MIDDLESEX.

Causes of Complaint.	Bills.	Continuances.	Convictions.	Acquittals.	No. Bills.	Total.	Remarks.
Assault and Battery,	22	4	16	2	5	27	
Nuisance,	12	1	11		6	18	
Official Misdemeanor,	6	6				6	
Riot,	4	2	2			4	1 Nol Pros.
On the Licence Law,	31	25	4	2		31	
Larceny,	11	1	9	1	4	15	} Recog paid by Two.
Libel,	1		1			1	
Trespass,					1	1	By default.
Attempt to Murder,	1		1		1	2	
Forgery,	1	1				1	
Embracery,	1	1				1	
Adultery,					1	1	
Pedling,	1		1			1	
On the Sunday Law,					1	1	
Writs scire facias,	91	41	45	5	19	110	
In Essex as by Table, . . .	43	15	21	7	11	106	
	134	56	66	12	30	180	

Of the persons convicted there were sentenced to hard labor in the

STATE PRISON,

1	for	7 years
1	"	3 "
2	"	1 "
1	"	2 "
5	"	6 months.
1	"	5 "
<hr/>		
8		

SUMMARY.

Cases of the Commonwealth, on the Report of the Attorney General,	36
“ In the Abstract of the Attorney in Suffolk,	91
“ In the Abstract of the Attorney of the Mid- dle District,	55
“ In the Abstract of the Attorney of the West- ern District,	73
“ In the Abstract of the Attorney of the South- ern District,	87
“ In the abstract of the Attorney of the North- ern District,	180
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Whole number from 1st June to 31st October, in- clusive,	522

